

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA

CASE NO. 3:22-CR-378-N

v.

RAYNALDO RIVERA ORTIZ JR.

GOVERNMENT’S DISCLOSURE OF EXPERT WITNESS

The United States of America (the government) notifies the Court and the defendant, pursuant to Federal Rule of Criminal Procedure 16(a)(1)(G), that it intends to present expert testimony from the individual listed below:

Elizabeth Ventura, MD
Dallas County Southwestern Institute of Forensic Sciences
2355 N. Stemmons Freeway
Dallas, TX 75207
214-920-5900
elizabeth.ventura@dallascounty.org

Dr. Elizabeth Ventura is a Medical Examiner for the Southwestern Institute of Forensic Sciences (SWIFS) and has served in this role since July 2013. Before her employment at SWIFS, Dr. Ventura completed a fellowship in forensic pathology at SWIFS from July 2012 through June 2013, as well as a residency in anatomical and clinical pathology at Baylor University Medical Center in Dallas, Texas from July 2008 to June 2012. She obtained an undergraduate degree in biology summa cum laude from the University of Texas at Arlington in May 2003 and her medical degree (M.D.) in May 2008 from the University of Texas Health Science Center in San Antonio, Texas. She

has been board certified in forensic pathology since October 2013 and board certified in anatomic and clinical pathology since August 2012. She has held a medical license in Texas since February 2012. She is also an Assistant Professor in the Pathology Department at the University of Texas Southwestern Medical Center in Dallas, Texas. She is certified by the American Board of Pathology in both anatomic and clinical pathology. Dr. Ventura's curriculum vitae is attached to this filing as Exhibit A.

Dr. Ventura will testify that she performed an autopsy on M.K.¹, following M.K.'s death in Dallas, Texas on June 21, 2022. She will also testify that, based on the autopsy examination, her review of M.K.'s toxicology tests, her review of subsequent events that occurred at the Baylor Scott & White North Dallas Surgicare facility in 2022, and her review of scientific testing related to the subsequent events, that M.K. "died as a result of the toxic effects of bupivacaine." Dr. Ventura's testimony will be based on generally accepted principles of conducting autopsies and reaching conclusions on causes of death in the field of forensic pathology. Dr. Ventura produced a written report detailing her findings and conclusions about which she will testify; a copy of her report has been produced to counsel for the defendant.

Dr. Ventura has been qualified and has testified on numerous occasions as an expert in the field of forensic pathology in state and federal courts. A list of the cases in which she has testified as an expert at trial or by deposition since March 22, 2023 is

¹ M.K. is listed by initials in the indictment in this case (doc. 17, ¶ 10).

attached as Exhibit B. She has testified as an expert at trials before March 22, 2023, but a log of those cases was not available by the date of this filing.

The government expects to demonstrate, by virtue of her education, continuing training, and experience, that Dr. Ventura has specialized knowledge, skills, experience, training, and education in the field of forensic medicine. Fed. R. Evid. 702(a). Further, the government expects to show that her specialized knowledge and skill will help the trier of fact understand the evidence—here, the cause of death for M.K.

Respectfully submitted,

LEIGHA SIMONTON
UNITED STATES ATTORNEY

/s/ John J. de la Garza III

John J. de la Garza III
Texas Bar No. 007964555
Assistant United States Attorney
1100 Commerce Street, Room 300
Dallas, Texas 75242-1699
Telephone: 214-659-8682
Email john.delagarza@usdoj.gov

/s/ Patrick R. Runkle

PATRICK R. RUNKLE
Senior Litigation Counsel
Consumer Protection Branch
U.S. Department of Justice
P.O. Box 386
Washington, DC 20044-0386
Telephone: 202-616-0219
E-mail: patrick.r.runkle@usdoj.gov

Certificate Of Service

I certify that a copy of this pleading was served on counsel for the defendant via ECF on February 15, 2024.

s/ John J. de la Garza III

John J. de la Garza III

Assistant United States Attorney